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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Harry A. Dugger, III.

Confirmation No.: 5742

Application No.: 10/726,625

Art Unit: 1616

Filed: December 4, 2003

Examiner: To be assigned

For: BUCCAL, POLAR AND NON-
POLAR SPRAY OR CAPSULE
CONTAINING DRUGS FOR
TREATING PAIN

Attorney Docket No.: 11122-039-999

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. §1.56 AND §1.97**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 and §1.97 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicant hereby directs the Examiner's attention to references A01 through A29, B01 through B19 and C01 through C05, which are listed on the attached revised PTO Form 1449. Copies of these references are submitted herewith.

Identification of the listed references is not to be construed an admission of Applicant or Attorneys for Applicant that such references are available as "prior art" against the subject application. Consequently, Applicant respectfully declines to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicant submits herewith several pages of a "revised form PTO 1449" entitled "List of References Cited by Applicant" instead of "List of Prior Art Cited."

Pursuant to 37 C.F.R. §1.97(b), since this Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits, it is believe that no fee is

due in connection herewith. However, should the Patent and Trademark Office determine otherwise, please charge the required fee to Jones Day Deposit Account No. 50-3013.

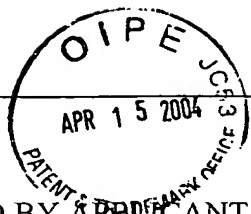
Applicant respectfully requests that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Respectfully submitted,

Date: April 15, 2004


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By: Catharina J. Chin Eng (Reg. No. 42,412)

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LIST OF REFERENCES CITED BY APPLICANT
(Use several sheets if necessary)

ATTY DOCKET NO.
11122-039-999

APPLICATION NO
10/726,625

APPLICANT
Harry A. DUGGER, III

FILING DATE
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GROUP
1616

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
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EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



LIST OF REFERENCES CITED BY APPLICANT
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FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
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